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SUBJECT: AU PEACE AND SECURITY RETREAT ON UNCONSTITUTIONAL CHANGE OF  
GOVERNMENT: PRELIMINARY REPORT

11. (SBU) SUMMARY: The African Union Peace and Security Council (PSC) held a retreat from December 17-19 in Mbabane, Swaziland, and drafted a framework on AU response to unconstitutional change of government. The framework reportedly is proceeding through the AU's cataloguing process before release to member states for consideration. Swazi Principal Secretary of the Ministry of Defense, Dr. Kunene, told CDA that members wanted to adopt the framework quickly, as they believe it will help with the situation in Guinea. In addition, Dr. Kunene indicated that the PSC focused on Madagascar's unconstitutional transfer of power and how the U.S. might help resolve that crisis.

The Principal Secretary said the framework would focus on sanctions, and therefore needed to be fully supported by the UNSC. He indicated that the agreement will be presented to the full AU for adoption during its upcoming summit in Addis. END SUMMARY.

12. (SBU) The AU PSC held a retreat in Mbabane, Swaziland December 17-19, 2009. According to a preliminary discussion with Swazi Ministry of Defense Principal Secretary Dr. John Kunene, the PSC drafted a framework on response to unconstitutional change of government in Africa, which is currently being put through the AU's cataloguing process before it is released to member states for consideration. He reported to Charge that members wanted to adopt the framework quickly, as they believe it will help with the critical situation in Guinea.

13. (SBU) Dr. Kunene indicated that discussions included Madagascar's unconstitutional transfer of power and the new crisis fomented by Rajoelina's replacement of the prime minister and announcement regarding elections. Dr. Kunene indicated that discussion included how the U.S. could help resolve that crisis, and promised to meet the CDA "as soon as possible" after the holidays to share this discussion in more detail.

14. (SBU) As of December 23, the Principal Secretary did not have a copy of the framework agreement, but he stated that it would include a system of increasing sanctions which would need to be fully supported by the UNSC for implementation by countries outside the AU. He believed that the AU would share the draft with UNSC members for comments, and that the framework will be presented to the full AU for adoption during its upcoming summit in Addis.

15. (SBU) Dr. Kunene was embarrassed that the Swazi government initially postponed the opening ceremony for the PSC retreat. The Swazi Ambassador to the AU told invited diplomatic observers that the ceremony was postponed because "the appropriate" high-level Swazi official was not present to present remarks. King Mswati III is currently in seclusion from official duties for the annual Incwala traditional ceremonies, and Prime Minister Barnabas Sibusiso Dlamini, who was announced as the keynote speaker in the first official invitation to the opening ceremony, was in Copenhagen for COP15. Minister of Foreign Affairs Lutfo Dlamini was designated to officially open the ceremonies, but his arrival from a trip outside the country was delayed. Without regrouping the diplomatic corps, deliberations were later halted to make arrangements to hold the opening ceremony. Dr. Kunene said that this waste of time forced

deliberations on the framework to last late into the night.

16. (SBU) COMMENT: USAU or USUN may have earlier access than post to this draft framework, but post will follow up and secure more details from Dr. Kunene on the discussions. If AU members want to be seen as taking non-military leadership to deal with unconstitutional changes of government by the imposition of sanctions, it will be interesting to see how the framework addresses foreign assistance and non-AU trade to those countries. The AU may request assistance to set up mechanisms to police such sanctions and control increased smuggling operations that will develop in response. One hopes that African officials already involved with drug smugglers would not see sanctions as private black-market commercial opportunities.

MORRISON